

**STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
BOARD MEETING**

**MINUTES**

**February 25-27, 2003**

**(KEY: MSC = MOTION MADE, SECOND, CARRIED)  
(MSF = MOTION MADE, SECOND, FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:33 AM, TUESDAY, 25, 2003 IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. VICE CHAIRMAN, SCOTT FARR AND MEMBERS RAY LYON, BILL BERNT, AND WILL JUDGE WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR, JAKE HOWARD, BOARD COUNCIL STEVE SCANLIN, ENFORCEMENT SUPERVISOR, BJ SNOOKS, AND SECRETARY, KIM WALLETT. BOARD CHAIRMAN WAYNE HUNSUCKER WAS NOT IN ATTENDANCE.

**Review of Agenda:** Director Howard reviewed the agenda with the Board and asked for last minute changes or recommendations. No changes were made.

**December and January Board Minutes** - Director Howard provided a draft copy of the December, 2002 and January, 2003 Board minutes for Board review and approval. MSC (MOTION BY LYON, SECOND BY JUDGE, UNANIMOUS) TO APPROVE MINUTES OF BOTH MEETINGS AS PRESENTED.

**Financial Report** – Director Howard presented the financial report and explained the year-to-date information. This was reviewed and compared to last year's budget use.

MSC (MOTION BY BERNT, SECOND BY JUDGE, UNANIMOUS) – TO ACCEPT FINANCIAL REPORT AS PRESENTED.

**Executive Session:** In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY JUDGE, SECOND BY LYON – FARR, BERNT– YEA) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 10:05 AM TO DISCUSS PERSONNEL MATTERS. MSC (MOTION BY BERNT, SECOND BY LYON – FARR, JUDGE, – YEA) AT 10:25 AM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

**Director's Report:** Director Howard stated that it appeared that outfitters were cooperating with the staffs' effort to get outfitters to license earlier in the license year and before the guide rush typically begins in late March. At the time of the meeting 84 outfitters had licensed versus 30 at the same time last year and 64 designated agents had licensed versus 20 at the same time last year. Director Howard said that he was pleased with the outfitters response and noted that that it should help IOGLB staff effort minimize delays in getting guides licensed earlier. He said

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staff were able to issue renewal applications in the same day (24) hours and was taking steps to maintain that pace. He said that enough guide applications had not been received to determine the success of the new first aid policy. He said that so far that only 23 guide applications had been received and there had been only one outfitter having difficulty and that he would discuss that later in the meeting. He noted the technical records clerk charged with new outfitter applications, major amendment and sales agreements was starting to get backlogged. He said that he was planning to bring on part-time staff in mid-March to assist the staff stay current and to help the technical record specialist get caught up. He said if needed, he was prepared to implement the first received/first processed policy that he discussed with the Board in August. This would allow staff to prioritize process activities in the following order (1) renewals, (2) allocation, (3) sales agreements (4) previously received new outfitter applications and (5) amendments and newly received outfitter applications and amendments. He said that he would contact anyone being delayed more than a few weeks.

Director Howard provided the list of newly issued outfitter, DA and Guide licenses and the probation report.

Director Howard presented two matters that have been brought before him for Board consideration. **Michael Melville, Non-Use Request:** The Board reviewed letter from Mr. Melville requesting Non-Use Waiver on SNA1 (Johns Hole Fore Bay). The Board took the request under advisement. They point out that Mr. Melville had a history of requesting Non-Use Waivers and questioned the continued legitimacy for a waiver. The Board directed Director Howard to research matter and to advise the proper action. **David E Boyles:** The Board reviewed Mr. Boyles request to issue his 2002 outfitters license that had not been issued due the lack of a performance bond. Mr. Boyle license had been cancelled by rule due to a lack of a performance bond and failure to respond to IOGLB inquiries. The Board determined that considering an injury Mr. Boyle suffered in 2001, they would allow him some flexibility. They decided to issue the 2002 license provided Mr. Boyles could get his performance bond reinstated. They asked Director Howard to write Mr. Boyles a letter instructing him that he must follow IOGLB rules and that he must be responsive to IOGLB inquiries in the future. They asked Director Howard to issue Mr. Boyles a 2003 license if he were properly submit his performance bond and license renewal application.

**Executive Session:** In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY BERNT, SECOND BY LYON – FARR, JUDGE– YEA) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 11:45 AM TO DISCUSS LITIGATION MATTERS. MSC (MOTION BY BERNT, SECOND BY JUDGE – FARR, LYON, – YEA) AT 12:35 PM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

***Recessed for lunch @ 12:45 pm and reconvened at 1:45 pm with all members present except Wayne Hunsucker. Also present were Executive Director Jake Howard, Board Council, Steve Scanlin, and Secretary Kim Wallett.***

**Steve Scanlin:** Presented report on pending legal issues, and matters that he is currently working on. He presented a legal opinion report on outfitting on private lands. The Board accepted the opinion and decided to make the information public and available to other agencies. A copy was provided to Steve Huffaker, Director of the Idaho Department of Fish and Game who was at the meeting. Director Howard said a copy of the opinion will accompany the Board minutes when distributed and will be posted on the IOGLB website. The Board decided to consider formal action on the opinion a forthcoming board meeting.

**Director Steve Huffaker, Idaho Department of Fish and Game :** Director Howard and Director Huffaker reported on a MOU between these two State Agencies that they had been working on. Their hope is to model it after a MOU that IOGLB currently has with the Federal Agencies and they asked for Board concurrence to involve IDFG with the discussions leading to the reauthorization of that MOU. Both Directors felt that the MOU between there agencies would provide for better guidance, would be a foundation for future activities and better interagency cooperation. They felt the outfitter application and amendment scoping process needed improvement. They also said that the Board Counsel Scanlin's opinion on outfitting private lands will help set the stage for clarification and resolution of a number of issues regarding this matter. Director Huffaker said that the IDFG acknowledged that outfitting on private lands was only one of several concerns that sportsman in Idaho have with changes to the availability of private lands. Others, including private hunting clubs buying up private lands and restricting general public access and instances where land owners are charging trespass fees and limit access to individual who are able to pay them. He said the IDFG supports private land owner rights, that as an agency they recognize their dilemma but they recognize the interests of the sportsmen want to maintain access. He felt that the Access Yes program currently under consideration of the IDFG Commission and outfitted private lands under the consideration of the IOGLB are two ways access might continue. He said that IDFG would work with the IOGLB to establish parameters for a viable private land outfitter program. Director Huffaker and the Board members discussed several options and the Board supported Director Huffaker's ideas and the continued development of the MOU. Also, discussed was a draft of a bear and cougar overlap policy that the Board and staff had been working on. The Board agreed to forward a copy to Director Huffaker to review and comment on once it was near completion. They anticipated this would be following the April Board meeting. Questions that were asked of Mr. Huffaker by the Board members, include: Can the IDFG recommend a ballpark figure on how many Bear and Cougar should be harvested by each Outfitter in their area to assist in recovering the elk population? Director Huffaker responded that he would direct Region 2 staff to provide these numbers. Could some kind of incentive program be produced to encourage the Outfitters to harvest more predators? Director Huffaker said that this may be more difficult but that he would take it under advisement. Director Huffaker, in developing the MOU with IDFG, he said that there is an expectation to maintain good relations with IDFG Enforcement, the Board must consistently, and properly address enforcement actions that come before them.

**Al Petrosky, Buyer Castle Creek Outfitters, Private Land Outfitting Business** – Shane McAfee appeared with Mr. Petrosky and presented information regarding the sale and Mr. Petrosky as a potential outfitter as the purchaser of Mr. McAfee's private lands. Mr. Petrosky feels that the 10 current ranches are more than plenty of ground for one outfitter to operate on. Mr. McAfee only used 5 of the 10 ranches last year. He also hopes that if the need arises, he could approach the Board to request one or two more ranches. IOGLB has received 4 out of 10 LMSOs regarding their sales contract, which they are hoping to finalize. Licensing Mr. Petrosky will allow them to close their sales contract. Mr. McAfee and Mr. Petrosky will be meeting with a couple more of the ranchers. Mr. Petrosky is attempting to finalize these agreements and will amend his license to include them as they are completed. Mr. McAfee currently has verbal agreements with most of the ranchers as to the lease agreements. Mr. McAfee feels that there is a problem with the image of private land outfitting and believes there is a need to work together to enhance public relations. The Board agreed with him and suggested that Mr. Petrosky take this matter seriously. They discussed this as a consideration that the Idaho Outfitters and Guide Association needs to take on. The Board members asked that Mr. Petrosky elaborate on his experience. He has been hunting and has been an outdoorsman since he was 11 years old and has good relations with the farmers in Pennsylvania where he is from. He capes and butchers animals harvested. He will be marketing in Pennsylvania due to contacts that are already established. Also, he will be running an ad in an international magazine, which will reach approx. 50,000 members each year. The Board approved and wished Mr. Petrosky good luck in his business pursuits. They reminded Mr. Petrosky that expansion of his private land operation cannot expand without Board approval.

**STAFF REPORTS – Enforcement Report – BJ Snooks:** Mr. Snooks presented the Board with current active case list and outlines of administrative hearings for James Mitchell and Dave Shillinger. Mr. Snooks presented information on Mark Cardall's application for the 76/78 unit selection that occurred in August, 2002 and explained that Mr. Cardall had been sent a letter of denial based on findings in Wyoming. Mr. Snooks also presented and discussed with the Board his observations since joining the IOGLB on February 3, 2003.

**STAFF REPORTS – Technical Records Specialist I – Leanne Reincke:** Ms. Reincke presented a report of new applications, amendments and buy/sell agreements for the board's review (attached). Also, included in this report were the new opportunities under consideration. Board member Farr ask that the staff begin providing an amendment report that the previous Director had provided and said that he would send Director Howard an example.

*Meeting recessed at 5:30 pm and reconvened at 8:30 AM, Wednesday, February 26, 2003 with all members present except Wayne Hunsucker. Also present were Executive Director Jake Howard, Technical Records Specialist Leanne Reincke, Enforcement Supervisor BJ Snooks and Secretary Kim Wallett.*

**Rule Making/Policy Making Procedures – Karen Gustafson, Dept of Admin:** Ms. Gustafson made a presentation clarifying the ruling making process and how rules and policies differ. Essentially a rule refers to activities that affect the public and they have the force and

effect of the law. A policy refers to internal operations. Rules are an Executive Branch function and in Idaho the Legislature reviews proposed rules. They can reject a rule but cannot edit or add text to a rule. It was discussed that a “Negotiated Rule Making Process” should be used in preparing many of IOGLB proposed rules. Temporary rules have to meet three criteria in order to be temporary. 67-5226, Idaho Code, provides for temporary rules if the Governor finds that a rule is required for: 1) Protection of the public health, safety or welfare; 2) Compliance with deadlines in amendments to governing law or federal programs; and 3) Conferring a benefit. The DFM review the rules to decide if it meets the criteria for a temporary rule.

**Planning for 2003 Rules / Procedures – Director Howard:** Director Howard provided a list of rules/policies under consideration and said that Board Counsel Scanlin and BJ Snooks would be assigned to prepare draft rules for the Board’s consideration at their next meeting.

**New Business – Grant Simonds, IOGA – Clearwater Sticker Initiative:** At Director Howard’s invitation Mr. Simonds and Ken Smith provided a copy of a letter dated January 31, 2003 to Director Howard regarding to a proposed sticker initiative to identify Guide Boats on the Clearwater River. They also provided a copy of some signs that may be considered. These proposed stickers would be used on the Clearwater River (CL1 and CL2). The annual cost of the stickers has been roughly researched based on some costs on other rivers. Director Howard recommended that the Board take the matter under advisement and that Mr. Snooks, Mr. Smith, and Mr. Simonds get together to prepare some wording for a temporary rule and a 2 year test program. He also expressed concern about additional cost of the stickers and suggested the sticker be sold to licensed individuals on this section rather than be made a part of the license fee. The Board will discuss the matter at the April Board meeting. Mr. Simonds said that the matter will be discussed at the IOGA Spring Meeting in Orofino and invited Director Howard to attend the meeting and discuss this matter with those in attendance.

**Division of Tourism – Peg Owens –** Ms. Owen shared information with regard to their tourism book and how it involves Outfitters and Guides in the State. She said that IOGA’s promotions often do not include all outfitters in the state, just IOGA members. The Division of Tourism staff had been requested by the Idaho Travel Council to see that all outfitters are represented. She said that IOGA receives a grant for outfitter and guide promotion from the Travel Council. She also suggested that IOGLB make their website more user-friendly and understandable and beneficial to the public. She said on the website, outfitters are clearly found by their operating area and that is what people looking for services normally look for in finding outfitted services. Director Howard said he agreed that it is hard to identify where outfitters are operating using the IOGLB website. He said that this is particularly true with river outfitters. He said there is also quite a bit of duplication. He said that unfortunately current staff is not available to address this matter but he said as time permits and resources come available, he will see that it is addressed because it is a problem. He said that he felt that this could happen this summer. He also said that a GIS system is being developed cooperatively with the Federal Agencies and IDFG. He said the intent is for this system to be a management tool for the agencies involved with outfitter operations and that the intent is for it to eventually become available to the public.

He said that it may replace the existing IOGLB website. He said the GIS system will be resource based and providing specific outfitter information. He said that as planned it should be a great promotional tool. Director Howard would look into inviting Ms. Owens to become involved in the GIS planning process as it unfolds. He noted the first meeting was on March 20, 2003 but was unsure whether it would be a good meeting for Ms. Owens to attend because the agenda was being set by another agency providing funds for the project. He said that he would be in touch with her.

**State Trails Coordinator, IDPR, Chuck Wells** – Mr. Wells appeared before the Board to discuss Outfitter and Guide Snowmobile Tour Safety Training. Mr. Wells has been with the IDPR almost 35 years and has developed a booklet of snowmobile safety training information as well as a Snowmobile Tour Safety Training program for Idaho. Director Howard said that Mr. Wells is recognized nationally as an expert in Snowmobile Safety and motorized back country travel. Classes he has coordinated have been presented in conjunction with National Snowmobile Safety Training programs. Mr. Wells said he was willing to help IOGLB develop a safety training program for outfitter and guides and said that he could provide up to ten classes a year. The Board asked that Mr. Wells present the Board with a course curriculum once it is complete for their review and possible implementation at the June or August Board meeting. The Board also asked Mr. Snooks to work with him to develop the training. Mr. Wells said that cost would vary dependant on the length and the items included in the course. The Board felt that the program should be a voluntary participation program and not linked as a requirement for licensing.

***Recessed for lunch @ 11:30 am and reconvened at 1PM with all members present except Wayne Hunsucker. Also present were Executive Director Jake Howard, Enforcement Supervisor BJ Snooks, Board Council, Steve Scanlin, and Secretary Kim Wallett.***

**SN 7 A, B & C – Discussion:** The Board met with LuVerne Grussing, Outdoor Recreation Planner with the Cottonwood Office of the BLM; on Feb 26 to reconsider a BLM proposal based on the revised Lower Salmon River Management Plan that was signed in September 1999. At their April meeting, the Board intends to use this proposal and any written comment received prior to the meeting to revise IDAPA Rule 25.0.01.059 that governs the usage of these sections. The proposal changes affect outfitter operating dates on SA7 A, & C and the number of licenses on SA7 B. Also, proposed is an extension of SA7B to Island Bar for float outfitters licensed in that stretch. Changes to the number of licenses will be based on historical outfitter use following IDAPA Rule 25.0.01.022, 024 and 026. This change should not impact those outfitters using their licenses. The Board will also consider capping total boat numbers on that stretch.

After reviewing and discussing the possible ramifications of these changes, the Board decided to finalize their decision on this matter at their meeting that begins on April 28. This matter has been under consideration for approximately two years and several letters have been received recently

from outfitters licensed in these sections asking for the Board to make a decision. The BLM recommendation and the Board's intent is to make the following changes:

**Current**

- SA7A Vinegar Creek to Hammer Creek  
April 1 through September 30  
26 Float 10 Powerboats
- SA7B  
Year Round  
26 Float - Vinegar Creek to Spring Bar  
10 Powerboat - Vinegar Creek to Spring Bar
- SA7C Riggins City Park to Hammer Creek  
October 1 through March 31  
3 Float

**Under Consideration**

- SA7A Vinegar Creek to Hammer Creek  
March 15 through October 15  
26 Float 10 Powerboat
- SA7B Vinegar Creek to Island Bar  
Year Round  
12 Float - Vinegar Creek to Island Bar\*  
6 Powerboat - Vinegar Creek to Spring Bar\*
- SA7C Riggins City Park to Hammer Creek  
September 15 through March 31  
3 Float

\* The potential base of 12 float and 6 power boats may be changed based on the usage information presented to the Board by IOGLB staff. This information will come from the reports submitted by outfitters during license renewal.

On a related matter, Mike Helvy and John Murphy, Federal Highway Administration (FHWA) and a Vaughn Anderson who is a consultant under contract to the FHWA to manage the Salmon River road renovation project were invited to the meeting. They presented a detailed calendar and explanation of the project and how it will affect outfitters and other businesses in the area. They explained the efforts they have made to address outfitter concerns. This road construction project is running up the Salmon River from Riggins to approximately Spring Bar. Contractor bids will be advertised during the summer of 2004 and construction will begin fall of 2004. The Board was satisfied that all was being done that could be reasonably done to minimize the impact on outfitters operating in this area.

The Director was instructed to provide a letter to all outfitters licensed on these sections of river notifying them of the Board's intentions. He was also instructed to convey to them that the Board will not conduct a hearing on this matter but instead will accept written comments until April 11. The Board elected to take this approach because there are a number of competing interests among the Outfitters, which appear to have become contentious, and because previous meetings have not been productive. Also, the Board is generally satisfied with the proposal as

presented by Mr. Grussing and feels these letters will allow for a reasonable opportunity for comment. No additional comments will be taken after April 11 or during the meeting.

The Board asked the Director to initiate the temporary/propose rule making process with Board Counsel Scanlin and to notify the outfitters of such.

MSC (MOTION BY BERNT, SECOND BY LYON – UNANIMOUS) DIRECT STAFF TO WORK ON LANGUAGE OR RULE CHANGE, AND TO ACCEPT MR. GRUSSING'S PLAN WITH THE NUMBER TO BE DECIDED BY NON-USE STATISTICS BY THE OUTFITTERS, WITH A POTENTIAL BASE TO BE TWELVE ALTHOUGH THAT MAY BE CHANGED. THIS WILL BE PREPARED FOR PRESENTATION AT THE APRIL BOARD MEETING.

MSC (MOTION BY BERNT, SECOND BY LYON – UNANIMOUS) ALSO WILL CONSIDER TOTAL BOAT NUMBERS IN SCOPING THIS AREA.

**Allocation Manual – Leanne Reincke & Ray Lyon:** Also present for this discussion were Darl Allred, Ken Smith, Elizabeth Smith, and Grant Simonds, IOGA. The intent of this document is to explain to the outfitters how the manual will apply to allocation within their business. Board Member Lyon explained that the comments that were submitted were incorporated into the manual. The intent of the Board is to finalize the manual at the April Board Meeting. They suggested to people in attendance that if there are any additional comments, please submit them well before the meeting. The Board discussed the proposed "Policy for Adjustments in Existing Controlled Hunts with an Outfitter Allocation". After much discussion, it was decided that this policy needs to be reworded and will not be used as written. MSC (MOTION BY LYON, SECOND BY WJ – UNANIMOUS) THAT ALLOCATION OF ZONED TAGS BE REVISITED AT THE END OF EVERY FIVE YEARS RATHER THAN IN 2006. THE WORDING OF THE POLICY SHOULD CHANGE TO REMOVE "BEGINNING IN 2006". AND ADD AT THE END OF SENTENCE "OR UNITS".

*Meeting recessed at 5:35 pm and reconvened at 8:40 AM, Wednesday, February 26, 2003 with all members present except Wayne Hunsucker. Also present were Executive Director Jake Howard, Technical Records Specialist Leanne Reincke, Enforcement Supervisor BJ Snooks and Secretary Kim Wallett.*

**Denial Hearing – James Mitchell:** Mr. Mitchell appeared before the Board to appeal the denial of his guide license. This denial was based on the fact that he had previously been convicted of a felony. Board Council Scanlin acting as the hearing administrator presented his opening statement and introduced the matter to the Board. Mr. Snooks presented the prosecution case indicating that Mr. Mitchell had disclosed the felony when submitting his application and was not, at any time, attempting to conceal information. He stated that this felony conviction occurred approximately 18 years ago. Mr. Mitchell explained that the case involved being with the wrong people at the wrong time. Mr. Snooks said that he had discussed this matter with Director Howard and that they recommend that the Board allow Mr. Mitchell to



retain his license. MSC (MOTION BY JUDGE, SECOND BY LYON, UNANIMOUS) TO APPROVE AND ENDORSE THE ACTIONS OF THE IOGLB OFFICE STAFF IN THIS MATTER AND TO CONTINUE MR. MITCHELL'S LICENSE.

**IOGLB Fees – Revenues – Director Howard:** Director Howard asked the Board for direction as to how to proceed with fees and other rules that must be developed as the result of several legislative bills that passed through the legislature this year. The Board asked him to prepare draft rules outlining these fees or other changes and present them for Board consideration. They also asked Director Howard to develop a proposal for an overall license fee increase due to rising cost the fact the IOGLB revenues are not maintaining the fund balance necessary for sustained operations. The Board asked Director Howard to organize a Board conference call towards the end of March. The Board suggested Director Howard provide a detailed analysis of revenues and fees, an analysis of the percentage of the last three fee increases with a graph and explanation of the free fund balance issue along with a complete cost analysis of the budget. The concept of a fee cap suggested by DFM earlier this year must be thoroughly explained. A conference call for IOGLB Board members will be scheduled as soon as the members return home to confirm availability. The Board suggested that following the Board's conference call in March, the Director meet with the IOGA Governmental Affairs Committee on the morning of April 4, 2003 to begin a negotiated rule making process. The IOGA Spring Meeting will be held April 3<sup>rd</sup> thru 5<sup>th</sup> in Orofino. Knowing that more than half the outfitters in the state are not members of IOGA, they asked the Director to ensure participation from the non-IOGA membership.

**Board Meeting dates:** The Board discussed Board meeting dates and moved the April Board meeting from the week of April 21 to April 28<sup>th</sup> thru 30.<sup>th</sup> they asked Director Howard to confirm with Chairman Hunsucker that he will be available to meet then.

MSC (MOTION BY LYON, SECOND BY JUDGE, UNANIMOUS) MOVES THAT THE BOARD FOLLOW "ROBERTS RULES OF ORDER" WHEN SOMEONE WISHES TO SPEAK AND THE HAVE CHAIRMAN RECOGNIZE THEM BEFORE SPEAKING.

**Bear and Cougar in 21A – Dave Williams & Russ Kozacek:** Mr. Williams is an Outfitter in Unit 21A and Mr. Kozacek is with IDFG, Salmon. Mr. Williams is requesting an amendment to vacate his area in 30A and move his operation to hunt bear and lion in 20A, which is the area that he is currently licensed for deer. Mr. Kozacek presented a packet of information to the board including letters from Mr. Earl Keating, who is an adjoining outfitter, indicating his interest in outfitting in the area and from the Forest Service and Fish & Game officers. Mr. Williams provided charts and information from IDFG that showed that the populations of bear and lion in the Salmon Region were quite good and that IDFG wants to increase harvest. The Board decided to take the matter under advisement and to make their decision at a later date. The Board would like IOGLB staff to research "Featherstone" as to why he left the area, as there may have been a prior commitment to not outfit the area. They asked Director Howard to investigate this matter based on the information discussed in the meeting. They also suggested the Director to discuss proper utilization of the scoping process with the North Fork Ranger

District, US Forest Service who is the permit manager involved with the amendment. Several board members said that their consideration of this amendment application may be premature based on the information that was presented during the meeting. Director Howard said this amendment request came in about the time he was hired and felt that after looking back, it's processing could have been better. He said that he would look into the matter and would get it straightened out.

*Recessed for lunch @ 11:30 am and reconvened at 1:00 pm with all members present except Wayne Hunsucker. Also present were Executive Director Jake Howard, Enforcement Supervisor BJ Snooks, Board Council, Steve Scanlin, Board Prosecutor, Steve Tobiason, and Secretary Kim Wallett.*

**Show Cause Hearing – Dave Shillinger, Jagged Edge Outfitters:** Vice Chairman Scott Farr recused himself from the hearing. Present for this hearing were Mr. Shillinger's Attorney Mr. Mike Lee by teleconference, Chris Wright from IDFG; Chris Anderson, Game Warden from Montana Fish & Wildlife; and Ken Smith, Idaho Outfitter. Mr. Tobiason reviewed the case details and expressed that after discussions with Mr. Shillinger's attorney, Mr. Shillinger wishes to stipulate to counts 1 and 2 and in doing so, counts 3 and 4 will then be dropped. Due to the unavailability of Mr. Shillinger and his attorney to personally appear, the disciplinary phase will occur at the April Board meeting. Mr. Tobiason provided a correction of the citation number to the Board members. The Board contacted Mr. Shillinger's attorney, Mr. Lee, via phone conference due to their inability to be present and to affirm the prior discussion. He so affirmed. Mr. Lee entered an admission of guilt on counts 1 and 2 and the Board accepted that admission. Mr. Tobiason made a motion to dismiss counts 3 and 4. Based upon these decisions, the Board then recessed until April 28 at 3:30 p.m. and will pursue the disciplinary aspect of the case at that time. Mr. Lee asked that the matter be held in abeyance. Mr. Scanlin said that the Board will take the matter under advisement and will advise the parties prior to March 31 of the decision of the board.

## **WORK SESSION**

**Bear and Cougar – Work Session – Overlap Procedure:** Board member Farr prepared a draft policy for review by the rest of the Board. Changes were discussed and Director Howard will rework the document for distribution to the board and IOGA at a later date. The Board asked that the use figures be developed with Idaho Fish and Game and committed to by Director Huffaker earlier in the meeting be made available to the outfitters in the area ASAP.

*At 2:55 pm Board Member Judge excused himself to catch an airline flight.*

## **WORK SESSION CONT.**

**Discussion of first aid policy:** Board Member Bernt quoted the rule re: first aid card. The board will accept First Aid course after review of a course outline. The Board instructed Mr. Snooks to investigate matter with George Butcher and the internet course that Mr. Butcher is asking that we accept.

**Tributary issues,** MSC (MOTION BY BERNT, SECOND BY LYON, FARR UNANIMOUS) IT SHOULD BE BOARD POLICY THAT FLOAT AND POWER OUTFITTERS ON THE SALMON RIVER DRAINAGE SHALL BE CONSIDERED WITHIN THEIR AREA OF OPERATIONS WHEN HIKING FROM THE RIVER OR FISHING IN TRIBUTARIES, NOT TO INCLUDE OVERNIGHT, AWAY FROM THE RIVER. CONFLICTS WITH LAND-BASED OPERATORS WILL BE HANDLED ON A CASE-BY-CASE BASIS. The other rivers in the State of Idaho will be discussed at the April Board meeting. Also to be discussed are the fishing codes. Any known conflicts need to be notified and request input from the outfitter. Board member Bernt asked Director Howard to contact Travis Bullock, Steve Zettel regarding this matter as it may affect a sales agreement they are involved with.

*With no further business to come before the Board, the meeting was adjourned at 5:30 PM, February 27, 2003.*

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WAYNE HUNSUCKER, CHAIRMAN

ATTEST:

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JAKE HOWARD, EXECUTIVE DIRECTOR